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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: SWOBODA

Docket No: TI-33147

Serial No: 09/920/180

Examiner: Cao, Chun

Filed: 08/01/2001

Art Unit: 2115

For: APPARATUS AND METHOD FOR BUS POWER MEASUREMENT IN A  
DIGITAL SIGNAL PROCESSOR

**REQUEST FOR RECONSIDERATION OF THE  
DECISION TO DISMISS UNDER 37 CFR 1.137(b)**

"EXPRESS MAILING" Mailing Label No. ER 542456483 US. Date of Deposit: February 17, 2006. I hereby certify that this paper is being deposited with the U.S. Postal Service Express Mail Post Office to Addressee Service under 37 CFR 1.10 on the date shown above and is addressed to: Commissioner for Patents, Alexandria, VA 21231.

  
William W. Holloway

Commissioner for Patents  
Washington, DC 20231

Dear Sir:

In response to the Office Action dated December 21, 2005 concerning the decision to dismiss the Petition to Revive the above-identified U.S. Patent Application, the Petitioner respectfully requests a reconsideration of the decision to dismiss of the Petition to Revive.

Submitted herewith is:

The original Petition to Revive along with Affidavits;

A copy of the FEE(S) TRANSMITTAL form;

The Decision dismissing the Petition to Revive dated December 21, 2005;

The Notice of Allowability;

A copy of the originally filed drawings; and

Replacement drawings.

**BEST AVAILABLE COPY**

In the Decision dismissing the Petition to Revive, the reason for the Dismissal was the failure to respond to objection to the Drawings in the Notice of Allowability. The present request for Reconsideration of the Decision dismissing the Petition to Revive includes the original Petition to Revive, along with a copy of originally filed drawings and the replacement drawings.

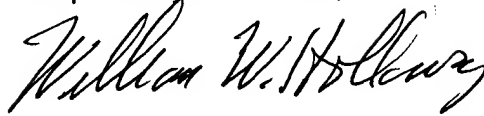
Petitioner respectfully requests a reconsideration of the Decision dismissing the Petition to Revive. The documents pointed out as missing in the Decision dismissing the Petition to Revive are herewith submitted, along with the originally filed documents,

Therefore, it is believed that the requirements to revive an unintentionally abandoned Patent Application by reason of failing to pay the issue fee in a timely manner have been fulfilled and Petitioner respectfully requests that the above-identified Patent Application be passed to issue.

The originally submitted documents include the Fee(s) Transmittal form authorizing payment of the Issue Fee from deposit Account 20-0668. The original Petition to Revive included authorization to pay the Fee for Revival of an Unintentionally Abandoned Application along with any extension fees to Deposit Amount 20-066. Please charge any additional Fees resulting from this Request for Reconsideration to Deposit Account 20-0668. **This form is submitted in duplicate.**

Please charge the Deposit Account of Texas Instruments Incorporated, Account No. 20-0668, with the amount sufficient to revive the above identified application.

Respectfully submitted,

A handwritten signature in black ink, reading "William W. Holloway". The signature is fluid and cursive, with the first name "William" and last name "Holloway" clearly distinguishable.

William W. Holloway  
Attorney for Applicants  
Reg. No. 26,182

Texas Instruments Incorporated  
P.O. Box 655474, MS 3999  
Dallas, TX 75265  
(281) 274-4064

Dated: February 17, 2006



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: SWOBODA  
Serial No: 09/920/180  
Filed: 08/01/2001  
For: APPARATUS AND METHOD FOR BUS POWER MEASUREMENT IN A DIGITAL SIGNAL PROCESSOR

Docket No: TI-33147  
Examiner: Cao, Chun  
Art Unit: 2115

**PETITION TO REVIVE PATENT APPLICATION**  
**UNINTENTIONALLY ABANDONED UNDER 37 CFR 1.137(b)**

Commissioner for Patents  
Washington, DC 20231

**CERTIFICATION OF FACSIMILE TRANSMISSION**

I hereby certify that the following papers are being  
transmitted by facsimile to the U.S. Patent and Trademark  
Office at 703-746-3258 on 10/28/2005 :

  
Lola Aguilar

Dear Sir:

Applicants, through their Attorney, hereby petition the Commissioner of Patents to revive the above identified application in accordance with the provisions of 37 CFR 1.137(b).

The above identified application became unintentionally abandoned on or about February 2, 2005 as a result of an inadvertent error by which the issue fee was not paid.

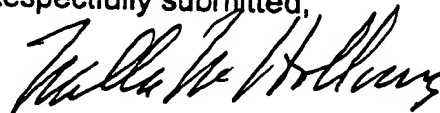
In connection with the abandonment of the above identified application, the delay was unintentional, and this Petition is being filed within one year of the date of abandonment and Form PTOL-85 payment of the issue fee is enclosed.

**COPY**

Please charge the Deposit Account of Texas Instruments Incorporated, Account No. 20-0668, with the amount sufficient to revive the above identified application.

To the extent necessary, Applicants petition for an extension of time under 37 CFR 1.136. Please charge any fees in connection with the filing of this paper, including extension of time fees, to the Deposit Account of Texas Instruments Incorporated, Account No. 20-0668. **This form is submitted in duplicate.**

Respectfully submitted,



William W. Holloway  
Attorney for Applicants  
Reg. No. 26,182

Texas Instruments Incorporated  
P.O. Box 655474, MS 3999  
Dallas, TX 75265  
(281) 274-4064



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: SWOBODA  
Serial No: 09/920/180  
Filed: 08/01/2001  
For: APPARATUS AND METHOD FOR BUS POWER MEASUREMENT IN A DIGITAL SIGNAL PROCESSOR

Docket No: TI-33147  
Examiner: Cao, Chun  
Art Unit: 2115

**AFFIDAVIT BY WILLIAM W. HOLLOWAY IN  
SUPPORT OF THE PETITION TO REVIVE**

William W. Holloway states that:

He is a Patent Attorney licensed to practice before the U.S. Patent Office having Registration Number 26, 182;

He is employed by Texas Instruments Incorporated as a Patent Attorney in Houston Texas;

The principal Patent Law Office of Texas Instruments Incorporated is in Dallas Texas;

All correspondence from the U.S. Patent Office is mailed to the Dallas Law Office;

Correspondence related to items being handled in the Houston Law Office is forwarded to the Houston Office;

Since William W. Holloway joined the Houston Law Office approximately 5 years ago, this method of handling correspondence from the U.S. Patent Office relating to matters originating in the Houston Law Office has proven efficient and effective;

At some time in 2005, approximately in early summer, I became aware of a problem in correspondence with the U.S. Patent Office;

This awareness of a possible problem came to my attention when, over the period of few months, I received calls from 3 U.S. Patent Office Examiner's alerting me to non-responses with respect to an Office Action extending beyond six months;

Because of the number of non-responses, 3 over a few months, this matter became of some concern; however, I decided to wait to receive the Notices of Abandonment and take appropriate action;

After a period time, I realized that the Notices of Abandonment had not been received in the Houston law Office.

Upon review of current activity as a result of my failure to receive these Notices, it became apparent that my amendment activity did not reflect the number of Patent Applications filed annually from the Houston law Office;

The Dallas Law Office was contacted when this problem crystallized;

We discovered a major flaw had developed between what was being received from the U.S. Patent Office in the Dallas Law Office related to Houston Law Office activity and what was being forwarded to the Houston Law Office;

This flaw had developed in a procedure that had worked reliably for several years in the past;

Prior to the development of the flaw, I was treated for a pulmonary embolism complicated by atrial fibrillation in September of 2003;

Since that time I have been distracted both by the original problems and by the complications derived therefrom;

By way of specific example, I spent a week in April in 2005, in the Whittaker Wellness Institute in Newport Beach, California and am currently being treated by the Life Celebrating Health Association Clinic in Humble, Texas;

By way of further example, in response to Physician recommendations, I am taking 46 pharmaceutical and nutritional pills every day, inhaling oxygen every night, receiving a nutritional shot three times a week, taking 4 powdered supplements every day, and an inhalant twice a day;

This amount of medical attention, as well as the conditions being treated resulted in distractions that compromised my ability to identify the communication problem at an earlier stage;

Furthermore, in the spring Texas Instrument Incorporated had a major product introduction. To complement this introduction, a major effort was undertaken by the Patent Department to identify and file Provisional Applications for related inventions. This effort, including evaluating the filed Provisional Applications, extended until the end of August, providing a further distraction to identifying and addressing the problem of communication between the Dallas Law Office and the Houston Law Office.

In any event, communication between the Dallas and the Houston Offices has been expanded and now the identification of the materials transmitted there between is provided by separate transmission;

In addition, provision has been made so that the entire Texas Instrument Docket is available to the Houston Office;

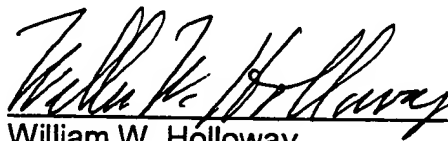
The Notice of Allowance for the above-identified U.S. Patent Application is one of the communications from the U.S. Patent Office for which there is no record of receipt in the Houston Law Office;

At no time was any consideration given to not proceeding to the issuance of the filed U.S. Patent Application; and

In view of the foregoing facts, the non-Payment of the Issue Fee of the above-identified U.S. Patent Application was unintentional and without deceptive intent.

**Now Therefore,**

In view of the foregoing facts, Applicant respectfully requests that the above-identified U.S. Patent Application be revived, the payment of the Issue Fee be accepted, and the above-identified Patent Application be moved to issue.

A handwritten signature in black ink, appearing to read "William W. Holloway", written over a horizontal line.

William W. Holloway

Registration Number 26,182





**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: SWOBODA  
Serial No: 09/920/180  
Filed: 08/01/2001  
For: APPARATUS AND METHOD FOR BUS POWER MEASUREMENT IN A DIGITAL SIGNAL PROCESSOR

Docket No: TI-33147  
Examiner: Cao, Chun  
Art Unit: 2115

**AFFIDAVIT IN SUPPORT OF A  
PETITION TO REVIVE**

Dolores S. Aguilar states that:

I am an Administrative Assistant in the Houston Law Office of Texas Instruments Incorporated;

In this position, I am responsible for the receipt of and processing of communications from the U.S. Patent Office that have been forwarded to the Houston Law Office from the Dallas Law Office of Texas Instruments Incorporated;

The procedure for processing communications since May 2005 has been as follows;

Correspondence from the U.S. Patent Office is mailed to the Dallas Law Office;

Correspondence from the U.S. patent Office related to matters being handled in the Houston Office is then forwarded to the Houston Law Office;

Upon receipt of correspondence from the U.S. Patent Office, I would retrieve the related file;

A form appropriate to the correspondence would be prepared and, along with the related file and the U.S. Patent Office communication, placed on a counter top in clear view of the patent attorney's office;

In this manner, the responses that were to be prepared were ready visible and available permitting the work to be prioritized by the patent attorney;

This system has been in place since approximately May of 2000 and, until recently, has proven eminently satisfactory;

Recently, when expected communications from the U.S. Patent Office did not arrive in Houston, the transmission of communications from the Dallas Law Office to the Houston Law Office was examined closely;

It was found that for several months, communications from the U.S. Patent Office had not been transmitted from the Dallas Law Office to the Houston Law Office;

Because of the lack of receipt in the Houston Law Office, numerous cases have become inadvertently abandoned because of a flaw that developed in a previously reliable system;

One of the abandoned cases is the subject of present Petition to Revive;

This U.S. Patent Application, as with the other U.S., Patent Applications, became unintentionally abandoned through inadvertence and without deceptive intent;

It was never the intention to abandon this U.S. Patent Application or any of the other U.S. Patent Application that became abandoned during this time period.

  
Dolores S. Aguilar



## PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s) to: Mail

Mail Stop ISSUE FEE  
Commissioner for Patents  
Alexandria, VA 22313-1450  
(703) 872-9306

FAX

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 4 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Legibly mark-up with any corrections or use Block 1)

23494

7590

02/10/2003

TEXAS INSTRUMENTS INCORPORATED  
PO BOX 655474, M/S 3999  
DALLAS, TX 75265

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawings, must have its own certificate of mailing or transmission.

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Box Issue Fee address above, or being facsimile transmitted to the USPTO, on the date indicated below.

William W. Holloway	(Depositor's name)
<i>William W. Holloway</i>	(Signature)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/920,180	08/01/2001	Gary L. Swoboda	TI-33147	4527

TITLE OF INVENTION: APPARATUS AND METHOD FOR BUS POWER MEASUREMENT IN A DIGITAL SIGNAL PROCESSOR

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1330	\$300	\$1630	12/23/2004

EXAMINER	ART UNIT	CLASS-SUBCLASS
CAO, CHUN	2115	713-001000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363). Use of PTO form(s) and Customer Number are recommended, but not required.

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1	<u>William W. Holloway</u>
2	<u>W. James Brady</u>
3	<u>Frederick J. Telecky, Jr.</u>

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

TEXAS INSTRUMENTS INCORPORATED

PO BOX 655474, M/S 3999  
DALLAS, TX 75265Please check the appropriate assignee category or categories (will not be printed on the patent) ☐ individual ☒ corporation or other private group entity ☐ government

4a. The following fee(s) are enclosed:

☒ Issue Fee  
☐ Publication Fee  
☐ Advance Order - # of Copies \_\_\_\_\_

4b. Payment of Fee(s):

☐ A check in the amount of the fee(s) is enclosed  
☐ Payment by credit card. Form PTO-2038 is attached.  
☒ The Commissioner is hereby authorized to charge the required fee(s), or credit any overpayment, to Deposit Account Number 20-0668 (enclose an extra copy of this form).

Commissioner for Patents is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fees to the application identified above.

(Authorized Signature)

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, D.C. 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Alexandria, VA 22313.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMIT THIS FORM WITH FEE(S)

PTOL-85 (REV. 04-02) Approved for use through 01/31/2004. OMB 0651-0028

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

#121418

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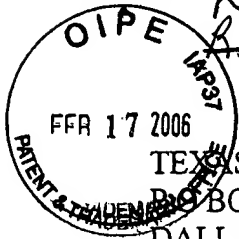
## UNITED STATES PATENT AND TRADEMARK OFFICE

COPY

W W H

Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
www.uspto.gov

*REQUEST FOR RECONSIDERATION*  
*Response Due by 2/21/2006*



TEXAS INSTRUMENTS INCORPORATED  
P.O. BOX 655474, M/S 3999  
DALLAS, TX 75265

COPY MAILED

DEC 21 2005 ✓

OFFICE OF PETITIONS

In re Application of:

Gary L. Swoboda

Application No. 09/920,180 ✓

Filed: August 1, 2001 ✓

Attorney Docket No. TI-33147 ✓

DECISION ON PETITION

This is a decision on the petition under 37 CFR §1.137(b), October 28, 2005, to revive the above-identified application.

The petition is **dismissed**.

This application became abandoned for failure to timely remit the issue fee of \$1,400.00 and the publication fee of \$300.00 as required by the Notice of Allowance and Issue Fee Due (the "Notice") and to file corrected drawings as required by the Notice of Allowability both mailed September 23, 2004. The Notices set forth a three (3) month statutory period for reply. Accordingly, this application became abandoned on December 24, 2004. A Notice of Abandonment was mailed on February 2, 2005.

Any request for reconsideration of this decision must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition" under 37 CFR 1.137(b)."

Effective December 1, 1997, the provisions of 37 CFR 1.137(b) now provide that where the delay in reply was unintentional, a petition may be filed to revive an abandoned application or a lapsed patent pursuant to 37 CFR 1.137(b). A grantable petition pursuant to 37 CFR 1.137(b) must be accompanied by:

- (1) the required reply, unless previously filed. In a non-provisional application abandoned for failure to prosecute, the required reply may be met by the filing of a continuing application. In an application or patent, abandoned or lapsed for failure to pay the issue fee, or any portion thereof, the required reply must be the payment of the issue fee or any outstanding balance thereof.
- (2) the petition fee as set forth in 37 CFR 1.17(m);
- (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional. The Commissioner may require additional information where there is a question whether the delay was unintentional; and
- (4) any terminal disclaimer (and fee set forth in 37 CFR 1.20(d)) required pursuant to 37 CFR 1.137(c).

RECEIVED

DEC 29 2005

PATENT DEPT

COPY

*In re Application of Gary L. Swoboda*  
09/920,180

Page 2

The instant petition does not satisfy the requirement of item (1) above.

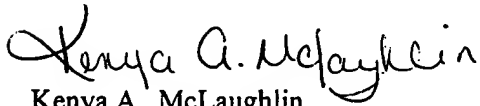
As to item (1), the required reply to the Notice of Allowability was not found with the instant petition. Any renewed petition filed must be accompanied by corrected drawings as required by the Notice of Allowability mailed September 23, 2004.

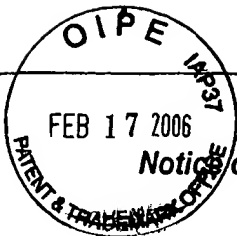
Further correspondence with respect to this matter should be addressed as follows:

By mail: Commissioner for Patents  
United States Patent and Trademark Office  
Box 1450  
Alexandria, VA 22313-1450

By facsimile: (571) 273-8300  
Attn: Office of Petitions

Telephone inquiries concerning this matter may be directed to the undersigned at (571) 272-3222.

  
Kenya A. McLaughlin  
Petitions Attorney  
Office of Petitions



Application No.

09/920,180

Examiner

Chun Cao

Applicant(s)

SWOBODA, GARY L.

Art Unit

2115

— The MAILING DATE of this communication appears on the cover sheet with the correspondence address—

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to communication filed on 7/24/04.
2. ☒ The allowed claim(s) is/are 2-9 and 11-19 (renumbered as 1-17 respectively).
3. ☐ The drawings filed on \_\_\_\_\_ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☒ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☒ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying Indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),  
Paper No./Mail Date 9/16/04.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

THOMAS LEE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100

**COPY**

### EXAMINER'S AMENDMENT

1. An Examiner's Amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 C.F.R. § 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the Issue Fee.
2. Authorization for this examiner's amendment was given in a telephone interview with William W. Holloway (Reg. No. 26,182) on 9/15/2004.
3. The application has been amended as follows:

Claim 1 (canceled)

Claim 2 (Currently Amended):

Apparatus for measuring the power consumed by a digital signal processor bus during a selected clock cycles, the apparatus comprising:

a unit for counting the logic state transitions on the bus during the selected clock cycles;

a technique for determining the power consumption on the bus for each logic state transitions, wherein the bus power consumption is determined by the number of logic state transitions multiplied by the power consumption for each logic state transitions;

the unit including a plurality of transition detection circuits, each transition detection circuit coupled to one of the bus conductors;

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a storage component, the storage component storing on the output terminal a first signal representative of a logic state of the coupled bus conductor;

a delay component coupled to the output terminal of the storage unit, the output terminal of the delay component storing a delayed signal, the delayed signal being the first signal delayed by a clock cycle; and

a difference component coupled to the output terminal of the storage component and the output terminal of the delay component, the difference component generating a result signal when the first signal and the delayed signal are different.

Claim 10 (canceled)

Claim 11 (Currently Amended):

The method for measuring the power consumed by a bus of a digital signal processor during selected clock cycles, the method comprising:

measuring a number of logic signal transitions of the bus during the selected clock cycles; wherein measuring includes:

comparing the state of a logic signal on each bus conductor during a first clock cycle with the state of the logic signal on the same bus conductor during the next sequential clock cycle;

generating a count signal when the state of a logic signal on a bus conductor is different during a second clock period that the state of the logic signal on the same bus conductor during the first clock period; and



during the selected clock cycles, determining the total number of count signals;

determining the power consumed for each logic signal transition; and

multiplying the number of logic state transitions during the selected clock cycles by the power consumed by each logic state transition.

4. Pursuant to MPEP 606.01, the title has been changed to read:

**-- APPARATUS FOR DETERMINING POWER CONSUMED BY A BUS  
OF A DIGITAL SIGNAL PROCESSOR USING COUNTED NUMBER OF LOGIC  
STATE TRANSITIONS ON BUS--**

#### **REASON FOR ALLOWANCE**

5. The following is an examiner's statement of reasons for allowance:

The prior art(s) teach(es):

Bowen et al., US patent no. 6,338,025, teaches of determining a power consumption value is formed from a per transition power consumption value multiplied by a number of switching transitions.

However the prior art of record does not teach or suggest, individually or in combination neither a counting unit includes a delay component and a difference component that generating a result signal when the first signal and the delay signal are different.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should

Art Unit: 2115

preferably accompany the issue fee. Such submissions should be clearly labeled

"Comments on Statement of Reasons for Allowance."

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Hand-delivered responses should be brought to Crystal Park II,

2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chun Cao at (703) 308-6106 (571-272-3664, effective 10/14/2004). The examiner can normally be reached on Monday-Friday from 7:30 am - 4:00 pm. If attempts to reach the examiner by phone are unsuccessful, the examiner's supervisor Thomas Lee can be reached at (703) 305-9717 (571-272-3667, effective 10/14/2004). The fax number for this Art Unit is following: Official (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 306-5631 (571-272-2100, effective 10/14/2004).

Chun Cao

Sep. 16, 2004



THOMAS LEE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100

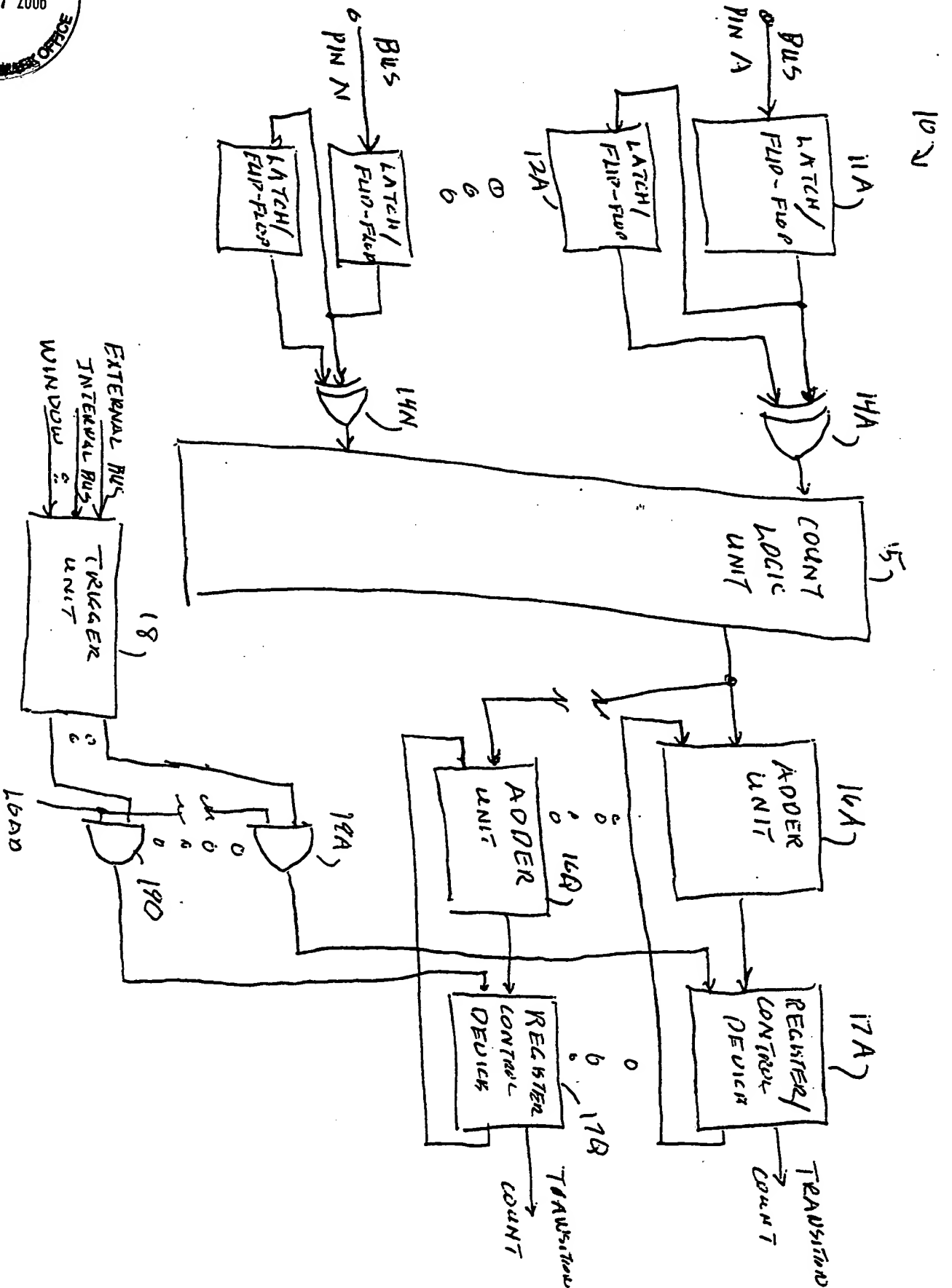


Fig. 1A

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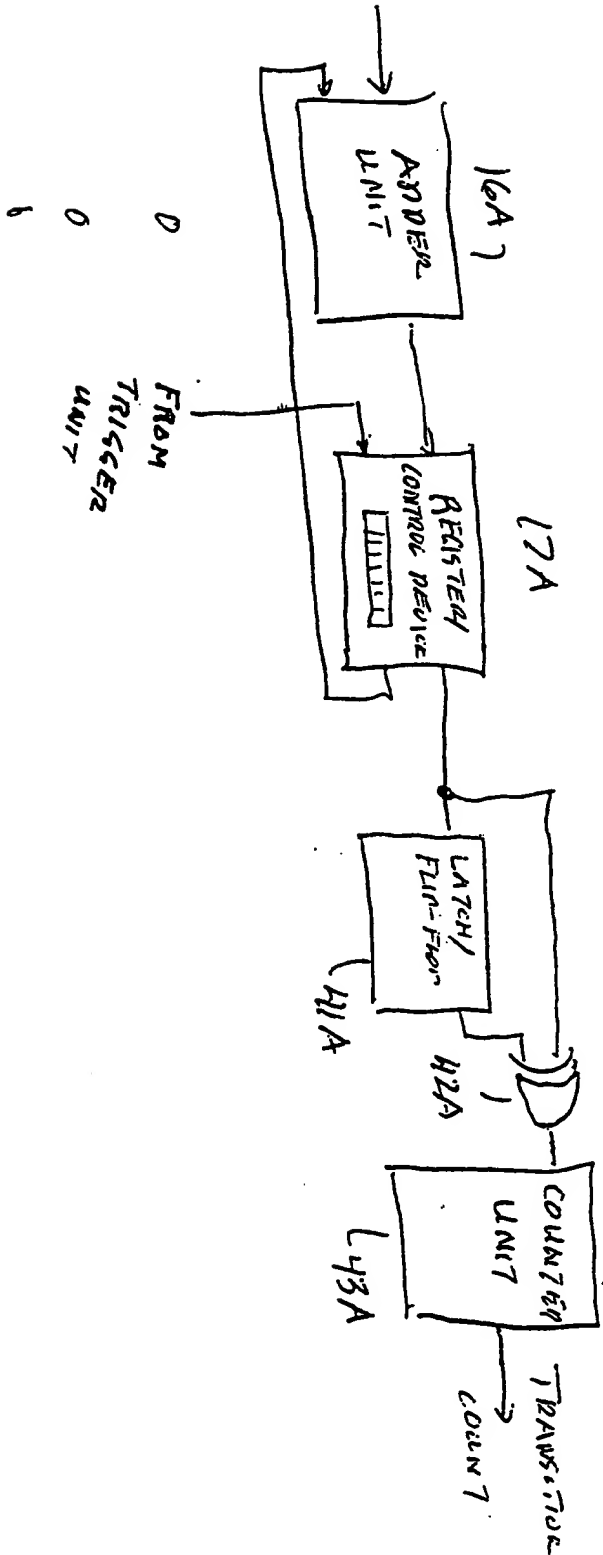
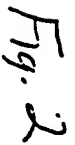
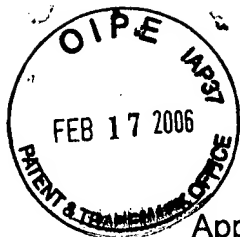


Fig. 1B





IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: SWOBODA

Docket No: TI-33147

Serial No: 09/920/180

Examiner: Cao, Chun

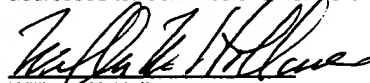
Filed: 08/01/2001

Art Unit: 2115

For: APPARATUS AND METHOD FOR BUS POWER MEASUREMENT IN A  
DIGITAL SIGNAL PROCESSOR

**REQUEST FOR RECONSIDERATION OF THE  
DECISION TO DISMISS UNDER 37 CFR 1.137(b)**

"EXPRESS MAILING" Mailing Label No. ER 542456483 US. Date of Deposit: February 17, 2006. I hereby certify that this paper is being deposited with the U.S. Postal Service Express Mail Post Office to Addressee Service under 37 CFR 1.10 on the date shown above and is addressed to: Commissioner for Patents, Alexandria, VA 21231.

  
William W. Holloway

Commissioner for Patents  
Washington, DC 20231

Dear Sir:

In response to the Office Action dated December 21, 2005 concerning the decision to dismiss the Petition to Revive the above-identified U.S. Patent Application, the Petitioner respectfully requests a reconsideration of the decision to dismiss of the Petition to Revive.

Submitted herewith is:

The original Petition to Revive along with Affidavits;

A copy of the FEE(S) TRANSMITTAL form;

The Decision dismissing the Petition to Revive dated December 21, 2005;

The Notice of Allowability;

A copy of the originally filed drawings; and

Replacement drawings.

**COPY**

In the Decision dismissing the Petition to Revive, the reason for the Dismissal was the failure to respond to objection to the Drawings in the Notice of Allowability. The present request for Reconsideration of the Decision dismissing the Petition to Revive includes the original Petition to Revive, along with a copy of originally filed drawings and the replacement drawings.

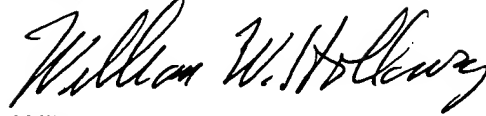
Petitioner respectfully requests a reconsideration of the Decision dismissing the Petition to Revive. The documents pointed out as missing in the Decision dismissing the Petition to Revive are herewith submitted, along with the originally filed documents,

Therefore, it is believed that the requirements to revive an unintentionally abandoned Patent Application by reason of failing to pay the issue fee in a timely manner have been fulfilled and Petitioner respectfully requests that the above-identified Patent Application be passed to issue.

The originally submitted documents include the Fee(s) Transmittal form authorizing payment of the Issue Fee from deposit Account 20-0668. The original Petition to Revive included authorization to pay the Fee for Revival of an Unintentionally Abandoned Application along with any extension fees to Deposit Amount 20-066. Please charge any additional Fees resulting from this Request for Reconsideration to Deposit Account 20-0668. **This form is submitted in duplicate.**

Please charge the Deposit Account of Texas Instruments Incorporated, Account No. 20-0668, with the amount sufficient to revive the above identified application.

Respectfully submitted,



William W. Holloway  
Attorney for Applicants  
Reg. No. 26,182

Texas Instruments Incorporated  
P.O. Box 655474, MS 3999  
Dallas, TX 75265  
(281) 274-4064

Dated: February 17, 2006



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